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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

Susan Oster d/b/a/ Feral Jewelry, an individual,

Plaintiff,

v.

Rainbow K Jewelry SAS, a French joint-stock company; mytheresa.com GmbH, a German entity; Schoola, Inc. d/b/a Olivela.com, a Delaware corporation; SoPicks, an Italian entity; Eastward Bound Technology, Inc. d/b/a Vugstyle, Inc., a Colorado corporation; Last Resort, LLC, a California company; and DOES 1-50, inclusive,

Defendants.

Case No. 2:25-cv-04929 JLS (PDx)

Judge: Hon. Josephine L. Staton

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT RAINBOW K JEWELRY SAS' *EX PARTE* APPLICATION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT

[Filed concurrently with Ex Parte Application, Declaration of P. Branko Pejic, and (Proposed) Order]

Defendant Rainbow K Jewelry SAS ("Rainbow") submits this Memorandum of Points and Authorities in support of its *ex parte* application seeking a 30-day continuance of its time to respond to Plaintiff's Complaint in this action. This *ex parte* application follows the failed attempt by counsel for Defendant to reach an agreement with Plaintiff's counsel for a stipulation for some continuance of time to allow Defendant to review the allegations of the Complaint and gather and review related information and respond to the Complaint.

1 The Complaint in this action was served on June 4, 2025, making a response
2 to the Complaint due on June 25, 2025. Local Rule 8-3 provides that an extension of
3 time of up to 30 days to respond to an initial complaint does not require a Court
4 order, but can be stipulated to by the parties. Rainbow's counsel attempted to obtain
5 an extension of time to respond to Plaintiff's Complaint, but Plaintiff's counsel
6 refused to agree to any extension of time. Specifically, on June 13, 2025, counsel for
7 Rainbow, P. Branko Pejic¹, left a message with the assistant for Plaintiff's counsel,
8 Michael Saltz, seeking an extension, but Mr. Pejic received no response from
9 Mr. Saltz. (See Declaration of Branko Pejic "Pejic Dec." ¶ 4 submitted in support of
10 this application.) Mr. Pejic's paralegal then sent an email to Mr. Saltz (on June 18,
11 2025), again requesting an extension, but again received no response. (Pejic Dec., ¶
12 4, Exhibit 2.) On June 20, 2025, counsel for Rainbow, Edith Shea, sent another
13 email to Plaintiff's counsel, again requesting a response to Rainbow's request for an
14 agreement to a stipulation extending Rainbow's time to respond to the Complaint.
15 The email requested a 30-day extension, but stated: "If you would prefer to agree to
16 a shorter extension, please let us know that as well." (Pejic Dec., ¶ 4, Exhibit 3.) On
17 Monday, June 23, 2025, Plaintiff's counsel, Simone Poyourow, finally provided a
18 response to Rainbow's request, but refused to agree to any extension of time. (Pejic
19 Dec. ¶ 5, Exhibit 3.)

20 Good cause exists for the 30-day extension of time requested to respond to
21 Plaintiff's initial Complaint. Plaintiff filed a 49-page Complaint with 258
22 paragraphs of allegations. Rainbow's counsel, Greenblum & Bernstein, P.L.C., is
23 located in Reston, Virginia. It retained the undersigned as local counsel and sought
24 an extension to allow sufficient time to obtain the documents and information
25 related to Plaintiff's allegations, so that it may prepare an appropriate response to
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¹ Mr. Pejic is in the process of preparing a *pro hac vice* application, which will be
28 filed shortly.

1 Plaintiff's Complaint. Plaintiff's counsel has not articulated any reason for the
2 unusual refusal to agree to *any* extension of time to respond to the Complaint and
3 there is nothing in the Complaint that reflects any reason why an extension of time
4 would not be appropriate in this action.

5 Accordingly, Defendant Rainbow respectfully requests that the Court grant
6 this *ex parte* application and allow an additional 30 days – to and including July 25,
7 2025, to respond to Plaintiff's Complaint.

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9 Dated: June 24, 2025

BURKE, WILLIAMS & SORENSEN, LLP

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By: s/ Edith Sanchez Shea

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Edith Sanchez Shea

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Attorneys for Defendant

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Rainbow K Jewelry SAS

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CERTIFICATE OF COMPLIANCE

2 The undersigned, counsel of record for Defendant Rainbow K Jewelry SAS,
3 certifies that this brief contains 508 words, which complies with the word limit of
4 L.R. 11-6.1.

6 | Dated: June 24, 2025

BURKE, WILLIAMS & SORENSEN, LLP

By: *s/ Edith Sanchez Shea*

Edith Sanchez Shea

Attorneys for Defendant

Rainbow K Jewelry SAS